

REMARKS

Applicant has considered the Examiner's remarks in the Notice of Non-Compliant Amendment dated 8 January 2007. Regarding the claims to be examined, Applicant
5 encloses herewith an annotated copy of the amended claims. These claims correspond to the claims as filed with the Preliminary Amendment of 12 March 2001.


Applicant has provided status designations pursuant to 37 CFR 1.121 as thus designations would have appeared when the Preliminary Amendment was submitted
10 on 12 March 2001. The claims submitted by Applicant on 10 July 2006 are identical to those that were submitted with the Preliminary Amendment of 12 March 2001, and which accompany this Response.

To clarify things, Applicant notes that the claims submitted herewith, which as noted
15 above are identical to the claims submitted on 12 March 2001 and 10 July 2006, are not the originally filed PCT claims, but are claims as defined by the International Preliminary Examination Report.

In view of the Examiner's remark, the previous Examiner, having examined the set
20 of claims from 12 March 2001 that accompanied the Preliminary Amendments did, in fact, examine the correct claims. While the Examiner correctly notes that two sets of claims accompanied the application on 12 March 2001, the claims that were already examined, *i.e.* the claims that accompanied the Preliminary Amendment of 12 March 2001, and later on in July 2006 should be examined. The status indicators
25 mentioned above, are provided to show the difference between the claims that were submitted from the PCT application, and show the amendments that were entered into the Preliminary Amendment when the application was filed.

Should the Examiner deem it helpful, he is encouraged to contact Applicant's
30 attorney at (650) 474-8400.

Respectfully submitted,


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